



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CASE et al.

Application No.: 09/925,796

Filed: August 9, 2001

For: FUNCTIONAL GENOMICS USING ZINC FINGER PROTEINS

Examiner: John S. Brusca

Group Art Unit: 1631

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TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Sean M. Brennan, state that I am an agent of record in the above-captioned application by virtue of a Power of Attorney by Assignee in the present application dated September 17, 2001 and mailed to the USPTO on September 27, 2001; as well as a Power of Attorney in the parent application (USSN 09/395,448) dated March 26, 2001 and mailed to the USPTO on April 3, 2001.

2. The assignee is Sangamo BioSciences, Inc. a Delaware corporation, having a place of business at 501 Canal Blvd, Suite A100, Richmond, CA, 94804.

3. The assignee is the owner of the entire right, title and interest in the invention disclosed and claimed in the above-captioned application, U.S. application serial no. 09/925,796, filed August 9, 2001, by virtue of an assignment recorded October 1, 2001 at Reel 012227, Frame 0723, and an Assignment in the parent application (USSN 09/395,448) recorded October 29, 1999 at Reel 010362, Frame 0609.

4. The Assignee is also the owner of the entire right, title and interest in U.S. Patent No. 6,599,692, issued July 29, 2003, by virtue of an assignment recorded October 19, 1999 at Reel 010362, Frame 0609.

5. In accordance with 37 C.F.R. §3.73(b), the undersigned hereby certifies that the evidentiary documents with respect to the assignee's ownership, copies of which are appended hereto, have been reviewed and that, to the best of his/her knowledge and belief, title is in the assignee seeking to take this action.

6. The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 09/925,796 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,599,692, except as provided below, and agrees that any patent granted on the above-captioned application Serial No. 09/925,796 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,599,692, this agreement to run with any patent granted on the above-captioned application Serial No. 09/925,796 and to be binding upon the grantee, its successors or assigns.

7. In making this disclaimer, the assignee does not disclaim the terminal part of any patent granted on the above-captioned application Serial No. 09/925,796 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,599,692, in the event that it later (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (e) has all claims cancelled by a reexamination certificate, (f) is reissued, or (g) is, in any manner, terminated prior to the expiration of its full statutory term.

8. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648 (Attorney Docket No. 8325-0007.01).

Executed at Richmond, CA

By: Sean Brennan

Sean M. Brennan

Title: Agent of Record

Date: Sept. 10, 2003